

Article - Health Occupations

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§7-308.3.

(a) This section applies to a funeral establishment owned by a funeral director, mortician, or surviving spouse who was the single owner and sole licensee of a funeral establishment.

(b) Within 7 days after the death of the single owner and sole licensee of a funeral establishment, the supervising mortician shall:

(1) Place an obituary for the deceased single owner and sole licensee in the death notices section of a newspaper with general circulation in the area of the funeral establishment; and

(2) Place a notice to the public of the death of the single owner and sole licensee on any Web site maintained by the funeral establishment.

(c) (1) Within 90 days after the death of a single owner of a funeral establishment, the pre-need trustee licensed under § 7-308.2 of this subtitle shall send a letter to all pre-need contract holders who have funds in trust with or an insurance product assigned to the funeral establishment stating the options available under § 7-405 of this title.

(2) The letter required by paragraph (1) of this subsection shall be returned within 5 days after receipt and shall include the full signature of the pre-need contract holder next to the option chosen from those available under § 7-405 of this title.

(d) (1) Within 90 days after the death of a single owner and sole licensee of a funeral establishment, the pre-need trustee licensed under § 7-308.2 of this subtitle shall identify to the Board and the executor licensed under § 7-308.1 of this subtitle all pre-need bank trust money that has been deposited under the federal identification number of the funeral establishment or the Social Security number of the deceased single owner and sole licensee, instead of the Social Security number of the beneficiary or buyer of the pre-need contract.

(2) The pre-need trustee licensed under § 7-308.2 of this subtitle shall make a claim against the estate of the deceased single owner and sole licensee of the establishment which the licensee previously owned for the money identified under paragraph (1) of this subsection.

(3) The executor licensed under § 7–308.1 of this subtitle shall transfer all money identified in paragraph (1) of this subsection to the abandoned property office in the Office of the Comptroller in the proper name of the beneficiary or buyer of the pre–need contract.

(e) Within 90 days after the death of the single owner of a funeral establishment, the pre–need trustee licensed under § 7–308.2 of this subtitle shall send to the Board a list that includes:

(1) The names of all funded pre–need contract holders;

(2) The amount of the funds entrusted to the funeral establishment through a bank account or insurance product; and

(3) The location where the funds currently are maintained.

(f) (1) Within 90 days after the death of the single owner of a funeral establishment, the pre–need trustee licensed under § 7–308.2 of this subtitle shall send to the Board a list of all unclaimed cremains, including:

(i) A copy of the filed death certificate for each cremated decedent; and

(ii) The crematory certificate for each cremains.

(2) The Board shall work collaboratively with the State Anatomy Board to ensure proper disposition of the cremains.

(g) The pre–need trustee licensed under § 7–308.2 of this subtitle shall submit to the Board a digital image on removable media or on cloud–based storage that includes:

(1) All signed pre–need contracts; and

(2) Any associated paperwork dating from the signing of the pre–need contract.

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